

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his)
capacity as ATTORNEY GENERAL)
OF THE STATE OF OKLAHOMA and)
OKLAHOMA SECRETARY OF THE)
ENVIRONMENT C. MILES TOLBERT,)
in his capacity as the)
TRUSTEE FOR NATURAL RESOURCES)
FOR THE STATE OF OKLAHOMA,)

Plaintiff,)

vs.)

4:05-CV-00329-TCK-SAJ

TYSON FOODS, INC., et al,)

Defendants.)

VOLUME I VIDEOTAPED DEPOSITION OF TODD KING,
produced as a witness on behalf of the Defendants in
the above styled and numbered cause, taken on the 23rd
day of July, 2008, in the City of Tulsa, County of
Tulsa, State of Oklahoma, before me, Marlene Percefull,
a Certified Shorthand Reporter, duly certified under
and by virtue of the laws of the State of Oklahoma.

1 **A** Which? 11:43AM

2 **Q** The layered aeration being utilized to seal
3 phosphorus at the bottom of the lake?

4 **A** No. I mean, I'm relying on Drs. Cooke and Welch.

5 **Q** But there's -- there are actually pieces of 11:43AM
6 equipment and stuff, the machinery, that is used to do
7 this sort of work, isn't there?

8 **A** There's aeration equipment, yes.

9 **Q** Did you investigate the cost of using that in this
10 report? 11:43AM

11 **A** Not as part of this report, no.

12 **Q** And why did you not?

13 **A** I think primarily here it was more of the real
14 usefulness of the layered aeration was to create
15 habitat as opposed to remediate the phosphorus so it 11:44AM
16 kind of fell outside of the scope on that basis.

17 **Q** Do you agree with me that the -- that what your
18 goal should be is least cost-effectiveness?

19 **A** Yes, sir.

20 **Q** Okay. 4.3.1, Cessation of Land Application Within 11:44AM
21 the IRW, do you recognize that the plaintiff in this
22 case is the State of Oklahoma, at least one of them?

23 **A** Yes, sir.

24 **Q** And do you understand and recognize that the State
25 of Oklahoma passes laws and rules and regulations? 11:45AM